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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,688	02/06/2001	Guy Colinart	202720US2	5315

22850 7590 09/12/2002

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EXAMINER

LEE, KYUNG S

ART UNIT	PAPER NUMBER
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2832

DATE MAILED: 09/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/776,688

Applicant(s)

COLINART ET AL.

Examiner

Richard K. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 15-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 and 18-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other:

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/27/02 has been entered.

### ***Election/Restrictions***

2. Claims 15-17 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected discharge devices found in CRTs, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in Paper No. 8.

Since the divergent subject matters for the non-elected claims were discussed (Restriction dated 12/17/2001) the restriction is deemed proper. Further, in response to the Office Action, cancellation of claims 15-17 is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Roberts et al. (GB 2032460A, submitted by Applicant).

Roberts et al. teaches a high voltage resistance, comprising:

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an organic support (claim 21);

a flat conductor (claims 1-3), the conductor having a length, a width, thickness and resistivity; and

the value of  $R = \rho l / A$  ( $L$ =length of the conductor and  $A$ = the area of the conductor).

Further, Roberts et al. discloses operating temperature of his conductor not exceeding 300°C (see page 2, line 24).

Regarding claim 3, an organic glue (page 2, line 43) is used for bonding the conductor to the support.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. in view of Sugawara (4,553,125).

Roberts et al. teaches the claimed invention except for the conductor in a shape of a coil.

Sugawara teaches a high voltage resistance element (see fig. 2) with conductor 2 in a shape of a coil to provide a resistive element capable of withstanding a high voltage and reducing area such device (col. 2, lines 40-43).

One skilled in the art, at the time of the invention, would have found it obvious to provide the resistive element of Roberts et al. in a shape of a coil for the purpose of reducing the surface area.

Regarding claim 5, Sugawara discloses the conductor 2 with parallel straight segment (see fig. 2).

Regarding claim 6, Roberts et al. discloses the conductor comprising of a nickel alloy (see claim 1 of Roberts et al.).

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. in view of Sugawara as applied to claim 6 above, and further in view of Drekmeier (5,581,227).

Roberts et al. and Sugawara teach the claimed invention except for an organic insulating substrate layer covering the conductor.

Drekmeier teaches a conductor 2 (see figs. 1 and 3) covered by an insulating substrate layer 5 for providing heat transfer as well as an adhesive means (col. 3, lines 14-15).

One skilled in the art, at the time of the invention, would have found it obvious to provide the device of Roberts et al. and Sugawara with an insulating substrate layer of Drekmeier for the purpose of providing heat transfer as well as an adhesive means.

8. Claims 8-13 and 18-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts et al. and Sugawara in view of Drekmeier as applied to claim 7 above, and further in view of Laisi (3,645,580; submitted by Applicant).

Roberts et al., Sugawara and Drekmeier teach the claimed invention except for the insulating layer being an organic substrate.

Laisi discloses an organic layer (see col. 2, lines 24-25) enhances rapid heat transfer dissipated by a resistive layer.

One skilled in the art, at the time of the invention, would have found it obvious to provide the device of Roberts et al., Sugawara and Drekmeier with an organic substrate layer of Laisi for the purpose of providing rapid heat transfer.

Regarding claim 9, Drekmeier discloses a ceramic support 1.

Regarding claim 10, Sugawara discloses the resistance being "folded on itself" (see fig. 2). Also see fig. 6 of Drekmeier.

Regarding claim 11, Drekmeier discloses organic substrate 5 fixed on the two sides of a ceramic support 1.

Regarding claim 12, Drekmeier discloses a connection wire 4 (see fig. 6) and a connecting strip 13. Drekmeier discloses the claimed invention except for "soldering" the connection wire to the connection strip. It would have been obvious to one having ordinary skill in the art at the time the invention was made to solder the connections since it was known in the art that soldering provides a better mechanical connection.

Regarding claim 13, Drekmeier discloses the resistance 2 fixed to the bottom of a ceramic casing 6 (see figs. 1 and 3).

Regarding claim 14, the epoxy layer 5 within the ceramic casing 6 protects the resistance.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard K. Lee whose telephone number is (703) 306-9060. The examiner can normally be reached on Mon: 6AM to 11AM and Tue-Fri: 6AM to 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin G. Enad can be reached on (703) 308-7619. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703) 308-7724 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

A handwritten signature in black ink, appearing to be 'R&L', is written above the typed name 'R&L'.

R&L  
9/4/02